

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TENNESSEE, WESTERN DIVISION**

MARIO LOPEZ aka
MATTHEW JHON MARTINEZ,

Plaintiff,

v.

No. 2:09-cv-2649

KELLOGG USA, INC.,

Defendant.

And

KELLOGG USA, INC.,

Defendant/Third Party Plaintiff,

v.

FAYETTE JANITORIAL SERVICES, LLC,

Third Party Defendant.

**NOTICE OF VOLUNTARY DISMISSAL OF THIRD-PARTY COMPLAINT AGAINST
FAYETTE JANITORIAL SERVICES, LLC BY KELLOGG USA, INC.**

TO THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TENNESSEE, WESTERN DIVISION:

Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, Defendant, Kellogg USA, Inc., in its capacity as Third Party Plaintiff, hereby exercises its right to take a Voluntary Dismissal of this cause as to its third party claim against Third Party Defendant, Fayette Janitorial Services, LLC, in the above-referenced matter.

This the 27th day of July 2011.

Respectfully submitted,

LEITNER, WILLIAMS, DOOLEY & NAPOLITAN, PLLC

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CERTIFICATE OF SERVICE

I hereby certify that on the 27th day of July 2011, a copy of the foregoing electronically filed instrument was served on the parties listed below by first-class mail, postage prepaid, unless said party is a registered CM/ECF participant who has consented to electronic notice and the Notice of Electronic Filing indicates that Notice was electronically mailed to said party:

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